IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.2736 OF 2004

In

WRIT PETITION NO.7422 OF 2003

Smt.Janibai Wd/o. Late Gopal Lokhande : Applicant

V/s.

Union of India & Anr. : Respondents

...

Mr.R.D. Dave for the applicant.

Mr.Suresh Kumar for Mr.S.S.Sarkar for the respondent.

...

CORAM : S.RADHAKRISHNAN &
S.A.BOBDE, JJ.

November 3, 2004.

P.C.:

1. Rule, returnable forthwith.

Mr.Suresh Kumar waives service for the respondent.

Heard by consent.

2. By this Civil Application, the applicant is seeking recall of the order dated 5.10.2004 whereby the above Writ Petition was dismissed in default. For the reasons stated in the Civil Application, sufficient cause is made out for recalling the order dated 5.10.2004. There is no case of

inaction, negligence or want of bona fides on the part of the applicant.

3. Accordingly, the rule is made absolute in terms of prayer clauses (a) & (b). Place the Writ Petition on board for admission on 1.12.2004.

Sd/-

(S. RADHAKRISHNAN, J.)

Sd/-

(S.A. BOBDE, J.)